

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<b>SEP 09 2009</b>
Returned to applicant for correction	
Corrected application filed	Map filed <b>DEC 03 1989</b> under <b>54207</b>

The applicant... Ruby Pipeline, LLC., c/o Dan G. Gredvig.....

.....P.O. Box 1087.....of.....Colorado Springs.....  
Street and No. or P.O. Box No. City or Town

.....Colorado.....80944.....hereby make(s) application for permission to appropriate  
State and Zip Code No.

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of  
 incorporation; if a copartnership or association give names of members.).....

*Nov 14, 2007 Delaware*

1. The source of water is.....underground - well.....  
Name of stream, lake, underground, spring or other sources.

2. The amount of water applied for is .....5.57 cfs (24.55 af).....second feet.  
One second foot equals 448.83 gallons per minute.

(a) if stored in reservoir give number of acre-feet.....

3. The water to be used for.....Pipeline Construction.....  
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.

4. If use if for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kind of animals.....

(c) Other use (describe fully under No. 12)...Hydrostatic testing and dust control.....

(d) Power:

(1) Horsepower developed.....

(2) Point of return in water to stream.....

*42-26*

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by a course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

.....SW $\frac{1}{4}$ , NE $\frac{1}{4}$  Sec 11, T.39 N., R.60 E., MDB&M, or at a point from which the NW corner of said Sec 11 bears.....  
.....N. 43° 47' W., a distance of 3744.0 feet..For a map of the proposed POD, use map under Permit No. 54207.....

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

...T.41 N., R.70 E., portions of Secs 4, 5, 6, 7, 8 and 9; T.41 N., R.69 E., portions of Secs 6, 7, 8, 9, 10, 11 and 12; T.41 N., ...  
..R.68, E., portions of Sec 1; T.42 N., R.68 E., portions of Secs 33, 34, 35 and 36; T. 41 N, R.68 E., portions of Secs 4, 5, .....  
..7, 8, 9, 17 and 18; T.41 N., R.67 E., portions of Secs 13, 14, 15, 16, 19, 20, 21, 22, 23 and 24, T.41 N.,.....  
...R.66 E., portions of Secs 19, 20, 21, 22, 23, 24 and 30; T.41 N. R.65 E., portions of Secs 24, 25, 26, 27, ....  
...28, 29, 31 and 32; T.41 N., R.64 E., portions of Secs 29, 30, 32, 33, 34, 35 and 36; T.41 N., R.63 E.,.....  
..portions of Secs 25, 31, 32, 33, 34, 35 and 36; T.40 N., R.62 E., portions of Secs 1 and 2. All MDB&M.....  
..For a map of proposed POU, use map on file under Application No. 78493.....

7. Use will begin about .....January 1<sup>st</sup>.....and end about.....December 31<sup>st</sup>.....of each year.  
Month and Day Month and Day

8. Description of proposed works: (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, and flumes, drilled well with pump and motor, etc.)

.....Existing 16" well 300' deep.....

9. Estimated cost of works:.....complete.....

10. Estimated time required to construct works:..... complete.....  
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use:.....two (2) years.....

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)

.....See attached sheet.....

13. Miscellaneous remarks:

.....  
E-mail Address  
.....(775)885-2101.....  
Phone No.

By.....R. Michael Turnipseed, P.E.....  
Print or type name clearly  
Signature, applicant or agent

.....204 North Minnesota Street.....  
Street and No. or P.O. Box No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RECEIVED  
2009 SEP -9 AM 11:10  
STATE ENGINEERS OFFICE

**EXHIBIT " A "**

This application is one of several to provide construction water for compaction, dust control and hydrostatic testing. The total project consists of 670 miles of 42 inch Natural Gas Pipeline from Opal, Wyoming to Malin, Oregon passing through Elko Co., Humboldt Co. and Washoe County Nevada. This application is being filed pursuant to NRS 533.371 for a maximum of 2 years and shall expire upon completion of the project. The diversion rate on some of the applications is unusually high because during the hydrostatic test they need to fill the pipe as quickly as possible.

The POD on this application is the same as 78763 but because of biological reasons, the hydrostatic test must go to the east as well as the west and the applicant needs an additional 8 million gallons.